

174

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHER DIVISION

UNITED STATES OF AMERICA,  
*ex. rel.* BEVERLY TRAN,

Plaintiff,

v.

DETROIT LAND BANK AUTHORITY, a public  
authority of the City of Detroit;  
CITY OF DETROIT, a non-profit domestic corporation;  
MIKE DUGGAN, Mayor, City of Detroit;  
CORPORATION OF WAYNE COUNTY, a non-profit  
domestic corporation.

Defendants.

**ADDITIONAL DEFENDANTS**

TITLE SOURCE, INC., a corporation; and,  
DETROIT LAND BANK COMMUNITY  
DEVELOPMENT CORPORATION, a non-profit  
domestic corporation;

BEVERLY TRAN

*Private Attorney General* on behalf of the

UNITED STATES OF AMERICA

4239 Tyler

Detroit, MI 48238

313-455-8882

Case:2:16-cv-10291  
Judge: Cohn, Avern  
MJ: Majzoub, Mona K.  
Filed: 01-28-2016 At 10:15 AM  
Sealed Matter Qui Tam (LG)

**FILED UNDER SEAL**

**PETITION FOR WRIT OF QUI TAM UNDER THE FALSE CLAIMS ACT, 31 U.S.C. 3729 et**

**seq**

**NOW COMES**, Plaintiff, United States of America, *ex rel.* Beverly Tran, as an original source, to bring forth this petition for writ of *qui tam* against the Defendants DETROIT LAND BANK AUTHORITY, a public authority of the City of Detroit; CITY OF DETROIT, a corporation; MIKE DUGGAN, Mayor, City of Detroit; COUNTY OF WAYNE, a public corporation; TITLE SOURCE, INC., a corporation; DETROIT LAND BANK COMMUNITY DEVELOPMENT CORPORATION, a non-profit corporation, as a course for addressing fraudulent property tax activities and recouping fraudulent federal reimbursement of the Hardest Hit Funds, and other federal programs, pursuant to the False Claims Act, 31 U.S.C. 3729 *et. seq.* on behalf of the United States of America.

### **QUESTION PRESENTED**

ARE DEFENDANTS FEDERAL FRAUDFEASORS?

### **JURISDICTION**

This Court has jurisdiction pursuant to the False Claims Act, 31 U.S.C. 3729 *et seq.*

### **PARTIES**

#### ***Relator***

1. Relator Beverly Tran, on be half of the United States of America, resides at 4239 Tyler, Detroit, Michigan 48238.

#### ***Plaintiff***

2. Plaintiff United States of America, may be served upon the United States Attorney General, Loretta Lynch at the United States Department of Justice, 950 Pennsylvania Avenue, NW, Washington, D.C. 20530-0001, pursuant to MCR 2.105.
3. Plaintiff United States of America, nay be served upon the United States Attorney for the Michigan Eastern District, 211 W. Fort Street, Suite 2001. Detroit. Michigan 48226, pursuant to MCR 2.105.

#### ***Defendants***

4. Defendant Detroit Land Bank Authority, (*hereinafter* “DLBA”) a public authority of the City of Detroit, may be served upon its City Clerk, Janice Winfrey, Detroit, Michigan, 48226, pursuant to MCR 2.105.
5. City of Detroit, a domestic non-profit corporation conducting business in the State of Michigan, may be served upon its City Clerk, Janice Winfrey Detroit, Michigan 48226, pursuant to MCR 2.105.
6. Mike Duggan, in his public capacity as Mayor of the City of Detroit, may be served upon the City Clerk, Janice Winfrey, Detroit, Michigan 48226, pursuant to MCR 2.105.
7. Title Source, INC., a domestic corporation, may be served upon at its principle place of business, 662 Woodward, Detroit, Michigan 48226, pursuant to MCR 2.105.
8. Defendant Corporation of Wayne County, a public corporation conducting business in the State of Michigan, may be served upon its County Clerk, Cathy Garrett, at Wayne County Building, 600 Randolph, Detroit, Michigan 48225, pursuant to MCR 2.105.
9. Defendant Detroit Land Bank Community Development Corporation, 501(c)(3) a domestic non-profit corporation, may be served upon its resident agent, Michelle Story-Stewart, at its principle place of business, 500 Griswold, Suite 1200, Detroit, Michigan 48226, pursuant to MCR 2.105.

#### **STATEMENT**

10. The False Claims Act (FCA), 31 U.S.C. 3729, *et seq.*, prohibits any “person” from “knowingly present[ing], or caus[ing] to be presented, to an officer or employee of the United States Government or a member of the Armed Forces of the United States a false or fraudulent claim for payment or approval. 31 U.S.C. 3729(a)(1). The Act also prohibits a variety of related deceptive practices involving government funds and property, 31 U.S.C. 3729(a)(2)-(7). A “person” who violates the FCA “is liable to the United States Government for a civil penalty of

not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages which the Government sustains.” 31 U.S.C. 3729(a). For purposes of Section 3729, the term “person” is not defined. A different provision of the FCA authorizes the Attorney General to issue civil investigative demands (CIDs) compelling the production of evidence. 31 U.S.C. 3733. A CID may be issued “[w]henver the Attorney General has reason to believe that nay person may be in possession, custody, or control of any documentary material or information relevant to a false claims law investigation.” 31 U.S.C. 3733(a)(1). For purposes of section 3733, “the term ‘person’ means any natural person, partnership, corporation, association, or other legal entity, including any State or political subdivision of a State.” 31 U.S.C. 3733(1)(4). A suit to collect the statutory penalties may be brought either by the Attorney General, or by a private person (known as a relator) in the name of the United States, in an action commonly referred to as a *qui tam* action. Section 3730(a) states that “[i]f the Attorney General finds that a person has violated or is violating section 3729, the Attorney General may bring a civil action under this section against the person.” Section 3730(b)(1) states that “[a] person may bring a civil action for violation of section 3729 for the person and for the United States Government in the name of the Government.” When a *qui tam* action is brought, the complaint is filed in camera and remains under seal for at least 60 days. 31 U.S.C. 3730(b)(2). The act provides the government the opportunity to intervene in the suit “within 60 days” after it receives both the complaint and the material evidence and information,” *supra*, in which case the government “shall have the primary responsibility for prosecuting the action, and shall not be bound by an act of the person bringing the action, and shall not be bound by an act of the person brining the action”. 31 U.S.C. 3730(c)(1). If the government does not intervene within the initial 60-day period, “the court, without limiting the status and rights of the person initiating the action, may nevertheless permit the Government to intervene at a later date upon a showing of good cause.’

31 U.S.C. 3730(c)(3). The Act further provides that an FCA suit “may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting.” 31 U.S.C. 3730(b)(1). If a *qui tam* action results in the recovery of civil penalties, those penalties are divided between the government and the relator. If the government takes control of the litigation, the relator shall, with limited exceptions, “receive at least 15 percent but not more than 25 percent of the proceeds of the action or settlement of the claim.” 31 U.S.C. 3730(d)(1). If the government declines to take control of the litigation and the relator prosecutes the suit, the relator's share “shall not be less than 25 percent and not more than 30 percent of the proceeds.” 31 U.S.C. 3730(d)(2).

### **BACKGROUND**

11. This instant case currently involves the public auction and purchase of the historically designated property of 4239 Tyler, Detroit, Michigan 48238, listed on the July 15, 2015 DLBA public auction website, <http://auctions.buildingdetroit.org/Listing/Details/1641285/4239-Tyler>
12. On July 15, 2015, Relator Tran successfully submitted the final bid, online, for the aforementioned property to the DLBA Auction in the amount of \$1,300.
13. On July 16, 2015, Relator Tran submitted notarized Purchase Agreement for the aforementioned property with the DLBA.
14. On August 4, 2015, Relator Tran received a phone call from the DLBA informing her that the DLBA was not going to honor the auction agreement as the property had legal issues with the title and that the relator would be refunded her money, with the ability to bid on the property again when it is put back up for auction.
15. On August 5, 2015, Relator Tran emailed the DLBA with a modification to the notarized Purchase Agreement and questioned how it could auction properties it did not own.
16. On or about August 21, 2015 relator found legal documents, *Lis Pendens*, of the court posted on

the front of the house with incidents of vandalism.

17. Relator Tran reported the vandalism in an email.
18. Relator Tran pulled the registry of actions for the Third Judicial Court case #: 15-008639-CH, with plaintiffs listed as “Detroit Land Bank Authority” and “Mike Duggan” in a Quiet Title action.
19. Relator Tran then physically went to the Wayne County Register of Deeds to pull the formal record. This is when she found that the property had previously been foreclosed upon through a Quiet Title action in case #: 14-012119-CH.
20. Relator Tran began to pull the Wayne County Treasurer's property tax records to find the property had never been foreclosed as property taxes for 2013 were in delinquency status, not yet subject to foreclosure.
21. On February 24, 2015, a QUITCLAIM DEED was recorded with the Wayne County Treasurer, for a valuable consideration of \$28,000.00 from the Grantee, Corazon, LLC to Grantor, Reinus Investment Group, LLC, for the real property address of 4239-41 Tyler, Detroit, Michigan 48238, replete with the MICHIGAN REAL ESTATE TRANSFER TAX STAMP.
22. Wayne County Treasurer issued CERTIFICATE OF FORFEITURE OF REAL PROPERTY on March 1, 2015, *after default judgment was entered for Case # 14-012119-CH. (emphasis added).*
23. On October 20, 2015, Relator met with Title Source, Inc. staff to sign closing documents.
24. Relator Tran asked the Title Source, Inc. staff how 2015 summer property taxes were assessed, at an exceedingly high level, in the amount of \$1,375.13.
25. AFFIDAVIT OF REAL PROPERTY TRANSFER for property taxes to the DLBA was never recorded and remained listed as CORAZON, LLC with the Wayne County Treasurer.
26. Relator Tran asked the Title Source, Inc. staff why she was being assessed \$255.25 for title

- insurance when it was obvious that there was never an executed title search.
27. Relator Tran asked the Title Source, Inc. staff why she was being assessed \$25.00 for a tax certification fee.
  28. Relator Tran asked the Title Source, Inc. staff why the Bill of Sale had the sale of 4239 Tyler, Detroit, Michigan 48238 "*For the sum of ONE DOLLAR (\$1.00)*" when the Property Transfer
  29. Affidavit listed the purchase price of real estate as \$1,300.00.
  30. Relator Tran was told by Title Source, Inc. staff, to "*just sign the papers, it is all a mess*".
  31. Relator Tran remitted final payment with funds from the Social Security Administration, Social Supplemental Income, for the care of her disabled, minor son, L.T.
  32. Relator Tran then experienced series of substantial challenges in turning on the utilities and applying for SNAP, Medicaid and other social assistance programs because the Quit Claim Deed was improperly issued with the wrong address of 4239 Tyler, Detroit, Michigan when it was suppose to be issued as 4239 – 4241 Tyler, Detroit, Michigan 48238, as reflected in the public record of the Wayne County Treasurer's Office Register of Deeds.
  33. Upon further investigation, Relator Tran found that 4239 Tyler, Detroit, Michigan 48238 had been presented to Detroit City Council as foreclosed and requested approval of cost reimbursement of the Hardest Hit Funds for a title search on April 15, 2015 in the amount of \$750.00 when no title search had been executed.
  34. Upon further investigation of closing documents from Title Source, Inc., Relator Tran found that DLBA was actually a Michigan, domestic, tax exempt, non-profit corporation, DETROIT LAND BANK COMMUNITY DEVELOPMENT CORPORATION (DLBCDC) functioning under the guise of a public authority of the corporation of the City of Detroit.
  35. The Michigan Articles of Incorporation for the DLBCDC are written for the DLBA COMMUNITY DEVELOPMENT CORPORATION with the stated purposes of organization

*“to receive and administer funds exclusively for **charitable, educational and scientific purposes** within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended” (emphasis added).*

36. At no time have DLBA nor DLBCDC established legal standing to bring forth an action of Quiet Title.

37. Relator Tran was issued QUITCLAIM DEED, without Michigan Real Estate Transfer Tax Stamp Number, as the conveyance is claimed as tax exempt pursuant to MCL 207.505(h)(i) which states *in whole*:

*“A written instrument in which the grantor is the United States, this state, a political subdivision or municipality of this state, or an officer of the United States or of this state, or a political subdivision or municipality of this state, acting in his or her official capacity.”*

**and** MCL 207.505(h)(i), which states, *in whole*:

*(h) Instruments (i) in which the grantor is the United States, the state, any political subdivision or municipality thereof, or officer thereof acting in his official capacity; (ii) given in foreclosure or in lieu of foreclosure of a loan made, guaranteed or insured by the United States, the state, any political subdivision or municipality thereof or officer thereof acting in his official capacity; (iii) given to the United States, the state, or 1 of their officers as grantee, pursuant to the terms or guarantee or insurance of a loan guaranteed or insured by the grantee.*

38. The grantor is DLBCDC, a Michigan domestic nonprofit corporation.

39. To date, Relator Tran has yet to receive Title Source, Inc. issued ALTA Owners Policy of April 1, 2015, amended October 18, 2015.

40. To date, Relator Tran has yet to receive Title.

41. To date, there is no recording of Michigan Property Tax Transfer.



42. To date, there is no recording that Relator paid \$1,375.13 for 2015 summer property taxes.
43. To date, there is no property assessment filed with the City of Detroit.
44. To date, the Wayne County Treasurer's Office has the taxpayer of 4239 Tyler listed as "Detroit Land Bank Authority".
45. To date, the DLBA has failed to issue and register Quit Claim Deed with the proper legal address.
46. To date, property taxes have not been assessed for Said property for the 2016 second fiscal quarter.

## ARGUMENT

### **Defendants are federal fraudfeasors**

47. *Is Relator to be considered an "original source"?* Relator Tran provides the first documented evidence of fraudulent federal claims by Defendants. Through purchase of DLBA Auction property, via internet, Relator discovered a relevant fraud scheme in which DLBA and/or DLBCDC, targeted individuals who had been affected by impact of foreclosures in Detroit, who were in need of housing and in want of home ownership. DLBCDC benefited through the improper use of U.S. Hardest Hit Funds (HHF) program, for non-executed title searches, and repetitive Quiet Title actions, including the improper assessments, levies and collection of property taxes which have never been recorded, for personal inurement.
48. Execution of title searches is part of the acquisition process of the HHF.
49. Relator Tran legally resides at 4239 Tyler, Detroit, Michigan 48238 and is in possession of a State of Michigan issued enhanced driver license.
50. *What is the relevant fraud scheme?* The Wayne County Treasurer's Office handed properties, without executing tax foreclosure proceedings, without affidavit of transfers, to DLBA which is not a corporate body, but an artificial arm of the DLBCDC, a Michigan non-profit, domestic

corporation.

51. DLBCDC, Taxpayer Identification Number: 27-1170869 possesses no legal authority to sell properties, as stated in its Articles of Incorporation, and its failure to file as party to the actions of Quiet Title.
52. It is estimated that the DLBCDC has more than 100,000 properties in its fictitious name, DLBA, with no executed title searches, yet has billed the HHF for title searches at a cost of \$750.00.
53. The DLBA/DLBCDC has sold more than 1,000 properties, including side lots which are not registered with the Wayne County Treasurer, and has billed the purchasers for title searches which have never been executed, and have also arbitrarily levied property taxes when Quiet Title Orders wipe out any past due taxes, which are never recorded with the Wayne County Treasurer.
54. Title Source, Inc. facilitates the unauthorized and fraudulent collection of taxes, fees and closings of properties on behalf of the DLBA and DLBCDC by generating fraudulent closing documents and collecting notarized signatures of the new property owners.
55. Properties sold through the Building Detroit Auction retain DLBA as the property owner as recorded with the Wayne County Treasurer's Office after the sale.
56. It is alleged that the goal of the DLBA is to execute reconveyances of the properties on behalf of DLBCDC, in the event of being unable to make repairs within the six month time frame, nine months for historic properties, for personal inurement as an act of land speculation for development as many successful auction purchasers do not qualify for general assistance programs due to defective Quit Claim Deeds and are not in possession of Titles.
57. It is alleged that Title Source, Inc. along with DLBCDC are issued insurance on properties being fraudulently conveyed to the DLBA.

58. It is alleged that the DBLA purposefully fails to disclose fees and taxes of the auction for the purposes of unjust enrichment as the successful bidder will lose all monies if the grantees cannot afford the surprise closing costs.
59. It is alleged that the City of Detroit Buildings, Safety Engineering and Environmental Department has implemented excessive permit demands of DLBA properties to create financial barriers for individual homeowners meeting the time lines of repair, triggering reconveyances.
60. As a component of this scheme, “for-profit” activities were conducted with the utilization of “non-profit” federal funds that were specifically designated for the purposes of providing financial relief to those property owners who were in financial distress of pending foreclosures and *not* for the benefit of the DLBCDC and Title Source, Inc. (*emphasis added*)
61. This relevant fraud scheme is conducted in coordination with the Wayne County Treasurer's Office as it either knowingly and/or willingly facilitated the registration of deeds, Mike Duggan, Mayor of the City of Detroit as he is listed as plaintiff in the DLBA Quiet Title actions, and the City of Detroit by authorizing the DLBA to function as a public authority when it is an artificial straw man for DLBCDC, Michigan, domestic non-profit.
62. As an 501(c)(3), the DLBCDC abuses its tax exempt status to become exempt and excluded from public scrutiny of external audit and review of the legitimacy of its operations and finances.
63. Relator Tran should be granted CIDs to recover on behalf of the United States of America.
64. *Has Relator Tran exhausted all avenues of remedy in notifying the proper entities of the matter of false claims to the federal government?* Wayne County continues to fraudulently foreclose and convey properties to DLBA which continues to publicly auction properties and has executed with an increased frequency the sale of side lots, “As Is” properties and demolitions; therefore there is no other remedy available than granting Relator Tran CIDs to recover on

behalf of the United States of America.

65. Wayne County Treasurer Certificates of Forfeiture of Real Property are to be issued March 31, 2016.
66. To date, DLBA continues to improperly file Quiet Title actions of properties fraudulently conveyed by Wayne County Treasurer.
67. Amounts in question for Defendant's relevant fraud scheme shall substantially exceed these amounts upon Relator Tran being granted CIDs. The 2015 DLBA report to Detroit City Council of April 15, 2015 has more than 250 occurrences of DLBA as the recognized entity for taxes, for cost-reimbursements for title searches of the properties at \$750.00.
68. This does not include side lots or previous years properties which have been demolished, sold, and/or as in-kind donation.
69. Of the more than 1,000 properties sold by the DLBA, it is estimated that taxes were levied and arbitrarily assessed at \$1,000 and up.
70. *Will the advancement to recover funds on behalf of the United States of America negatively impact the greater good of society?* Defendants DLBA, DLBCDC, Wayne County, Mike Duggan, Title Source, Inc. are fraudfeors who presented false claims to the United States of America and the residents of the City of Detroit and Wayne County by, not just depleting the tax base by failing to provide opportunity for people to prevent foreclosures through the HHF, but also by fraudulently assessing taxes for personal inurement. "Congress wanted to stop the plundering of the public treasury."<sup>1</sup> The "public treasury" is constructed through the revenue generation of taxes, which makes the contumacious and predatory activities of Defendant fraudfeors a demonstration of pattern and practice which has eroded the tax base of Wayne County and Detroit, Michigan.

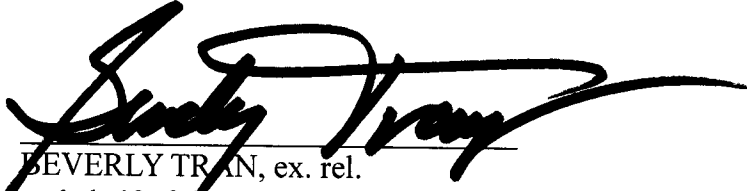
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<sup>1</sup> S. Rep. No. 345, 99<sup>th</sup> Congr. 2D Sess. (1863), reprinted in 1986 U.S.C.A.A.N. 5266

### CONCLUSION

WHEREFORE, the petition for writ of *qui tam*, pursuant to the FCA should be granted as Relator Tran has demonstrated an “irreducible constitutional minimum” of standing under Article III. Relator Tran seeks to recoup fraudulent claims made by fraudfeasor Defendants.

Respectfully submitted.

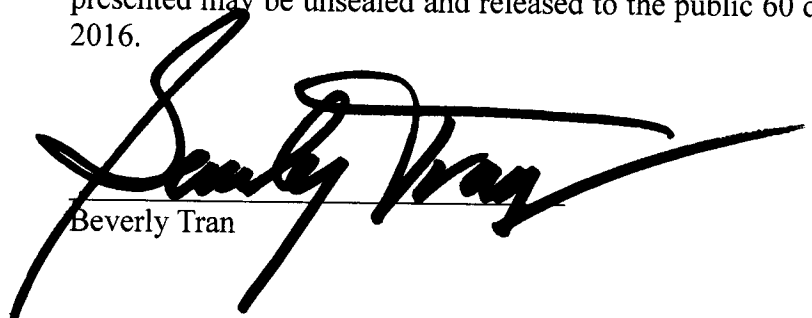


BEVERLY TRAN, ex. rel.  
on behalf of the UNITED STATES OF AMERICA  
4239 Tyler  
Detroit, MI 48238

DATE: JANUARY 28, 2016

### EVIDENTARY DISCLOSURE

I, Beverly Tran, Relator, on behalf of the United States of America, certify that the evidence herein presented may be unsealed and released to the public 60 days after the filing of this matter, January 28, 2016.



Beverly Tran

### CERTIFICATE OF SERVICE

I, Beverly Tran, Relator, certify that I have served this action under seal with the U.S. Attorney General, Loretta Lynch, Washington, D.C. and the Assistant U.S. Attorney General Barbara McQuade of the U.S. Eastern District of Michigan via U.S. Postal Service and in the U.S. District Court Eastern District of Michigan Southern Division on January 28, 2016.



Beverly Tran

**TAB**

**A**

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU  
NONPROFIT CORPORATION ANNUAL REPORT

**2015**

|   |   |
|---|---|
| <b>Identification Number</b><br><b>70883X</b>   | <b>Corporation Name</b><br><b>DETROIT LAND BANK COMMUNITY DEVELOPMENT CORPORATION</b> |
| <b>Resident agent name and mailing address of the registered office</b><br><b>MICHELLE STORY-STEWART</b><br><b>500 GRISWOLD, STE 1200</b><br><br><b>DETROIT MI 48226</b>  |   |
| <b>The address of the registered office</b><br><b>500 GRISWOLD STE 1200</b><br><br><b>DETROIT MI 48226</b>  |   |
| <b>Describe the purpose and activities of the corporation during the year covered by this report:</b><br><b>THE DETROIT LAND BANK AUTHORITY IS A QUASI-GOVERNMENTAL AGENCY WHOS MISSION IS TO HELP RID THE CITY OF DETROIT OF BLIGHT AND PROVIDE AFFORDABLE HOUSING TO ITS RESIDENTS.</b> |   |
| <b>Officer/Director Information</b>   |   |
| <b>NAME</b>   | <b>TITLE                      BUSINESS OR RESIDENCE ADDRESS</b>                       |
| LARRY LIPA  | PRESIDENT                      500 GRISWOLD DETROIT MI 48226                          |
| ERICA WARD GERSON   | SECRETARY                      500 GRISWOLD DETROIT MI 48226                          |
| RICHARD HOSEY   | TREASURER                      500 GRISWOLD DETROIT MI 48226                          |
| ERICA WARD GERSON   | VICE PRESIDENT                      500 GRISWOLD DETROIT MI 48226                     |
| LARRY LIPA  | DIRECTOR                      500 GRISWOLD DETROIT MI 48226                           |
| RICHARD HOSEY   | DIRECTOR                      500 GRISWOLD DETROIT MI 48226                           |
| ERICA WARD GERSON   | DIRECTOR                      500 GRISWOLD DETROIT MI 48226                           |
| <b>Electronic Signature</b>   |   |
| <b>Filed By</b><br><b>MICHELLE STORY-STEWART</b>  | <b>Title</b><br><b>AUTHORIZED OFFICER OR AGENT</b>                                    |
|   | <b>Phone</b><br><b>3135025248</b>   |
| <input checked="checked" type="checkbox"/> <b>I certify that this filing is submitted without fraudulent intent and that I am authorized by the business entity to make any changes reported herein.</b>  |   |
| <b>Payment Information</b>  |   |
| <b>Payment Amount</b><br><b>\$ 20</b>   | <b>Payment Date/Time</b><br><b>08/20/2015 11:58:52</b>                                |
|   | <b>Reference Nbr</b><br><b>71315 6800 70883X 2015</b>                                 |

**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU  
NONPROFIT CORPORATION INFORMATION UPDATE**

**2014**

|   |   |
|---|---|
| <b>Identification Number</b><br><b>70883X</b>   | <b>Corporation Name</b><br><b>DETROIT LAND BANK COMMUNITY DEVELOPMENT CORPORATION</b> |
| <b>Resident agent name and mailing address of the registered office</b><br><b>MICHELLE STORY-STEWART</b><br><br><b>MI</b>   |   |
| <b>The address of the registered office</b><br><b>65 CADILLAC SQ STE 3200</b><br><br><b>DETROIT MI 48226</b>  |   |
| <b>Describe the purpose and activities of the corporation during the year covered by this report:</b><br><b>THE DETROIT LAND BANK AUTHORITY IS A QUASI-GOVERNMENTAL AGENCY WHOS MISSION IS TO HELP RID THE CITY OF DETROIT OF BLIGHT A PROVIDE AFFORDABLE HOUSING TO ITS RESIDENTS.</b> |   |
| <b>Officer/Director Information</b>   |   |
| <b>NAME</b>   | <b>TITLE</b>  |
| <b>BUSINESS OR RESIDENCE ADDRESS</b>  |   |
| LARRY LIPA  | PRESIDENT   |
| 65 CADILLAC SQ DETROIT MI 48226   |   |
| ERICA WARD GERSON   | SECRETARY   |
| 65 CADILLAC SQ DETROIT MI 48226   |   |
| RICHARD HOSEY   | TREASURER   |
| 65 CADILLAC SQ DETROIT MI 48226   |   |
| ERICA WARD GERSON   | VICE PRESIDENT  |
| 65 CADILLAC SQ DETROIT MI 48226   |   |
| LARRY LIPA  | DIRECTOR  |
| 65 CADILLAC SQ DETROIT MI 48226   |   |
| ERICA WARD GERSON   | DIRECTOR  |
| 65 CADILLAC SQ DETROIT MI 48226   |   |
| RICHARD HOSEY   | DIRECTOR  |
| 65 CADILLAC SQ DETROIT MI 48226   |   |
| <b>Electronic Signature</b>   |   |
| <b>Filed By</b><br><b>MICHELLE STORY-STEWART</b>  | <b>Title</b><br><b>Chief Financial Officer</b>  |
|   | <b>Phone</b><br><b>313-502-5248</b>   |
| <input checked="checked" type="checkbox"/> I certify that this filing is submitted without fraudulent intent and that I am authorized by the business entity to make any changes reported herein.   |   |
| <b>Payment Information</b>  |   |
| <b>Payment Amount</b><br><b>\$ 20</b>   | <b>Payment Date/Time</b><br><b>03/20/2015 11:14:33</b>                                |
|   | <b>Reference Nbr</b><br><b>71315 6800 70883X 2014</b>                                 |



DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU  
NONPROFIT CORPORATION INFORMATION UPDATE

2013



I certify that the board consists of 3 or more directors, and further certify that all directors' names and addresses are previously filed with the Department, and that no changes have occurred in required information since the last filed report.

Identification Number

70883X

Corporation Name

DETROIT LAND BANK COMMUNITY DEVELOPMENT CORPORATION

Resident agent name and mailing address of the registered office

AUNDRA C WALLACE

MI

The address of the registered office

65 CADILLAC SQ STE 3200

DETROIT MI 48226

Describe the purpose and activities of the corporation during the year covered by this report:

Electronic Signature

Filed By

MARSHA BRUHN

Title

CHAIRPERSON

Phone

313-974-6869



I certify that this filing is submitted without fraudulent intent and that I am authorized by the business entity to make any changes reported herein.

Payment Information

Payment Amount

\$ 20

Payment Date/Time

09/19/2013 10:12:09

Reference Nbr

71315 6800 70883X 2013

# ***Michigan Department of Energy, Labor & Economic Growth***

## ***Filing Endorsement***

***This is to Certify that the ARTICLES OF INCORPORATION - NONPROFIT***

***for***

***DLBA COMMUNITY DEVELOPMENT CORPORATION***

***ID NUMBER: 70883X***

***received by facsimile transmission on January 10, 2011 is hereby endorsed***

***Filed on January 11, 2011 by the Administrator.***

***The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.***



***In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 12TH day of January, 2011.***

***Director***

***Bureau of Commercial Services***

BCS/CD-502 (Rev. 5/10)

| MICHIGAN DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH<br>BUREAU OF COMMERCIAL SERVICES  |  |                   |  |  |  |  |  |  |                 |             |                   |
|--|--|-------------------|--|--|--|--|--|--|-----------------|-------------|-------------------|
| Date Received  | (FOR BUREAU USE ONLY)  |                   |  |  |  |  |  |  |                 |             |                   |
|  | This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document. |                   |  |  |  |  |  |  |                 |             |                   |
| <table border="1"> <tr> <td colspan="3">Name<br/>Peter J. Kulick, Dickinson Wright PLLC</td> </tr> <tr> <td colspan="3">Address<br/>215 S. Washington Square, Suite 200</td> </tr> <tr> <td>City<br/>Lansing</td> <td>State<br/>MI</td> <td>Zip Code<br/>48933</td> </tr> </table> |  |                   | Name<br>Peter J. Kulick, Dickinson Wright PLLC |  |  | Address<br>215 S. Washington Square, Suite 200 |  |  | City<br>Lansing | State<br>MI | Zip Code<br>48933 |
| Name<br>Peter J. Kulick, Dickinson Wright PLLC   |  |                   |  |  |  |  |  |  |                 |             |                   |
| Address<br>215 S. Washington Square, Suite 200   |  |                   |  |  |  |  |  |  |                 |             |                   |
| City<br>Lansing  | State<br>MI  | Zip Code<br>48933 |  |  |  |  |  |  |                 |             |                   |
|  |  | EFFECTIVE DATE:   |  |  |  |  |  |  |                 |             |                   |

Document will be returned to the name and address you enter above.  
If left blank document will be mailed to the registered office.

**ARTICLES OF INCORPORATION**  
For use by Domestic Nonprofit Corporations  
(Please read information and instructions on the last page)

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:

**ARTICLE I**

The name of the corporation is:

DLBA Community Development Corporation

**ARTICLE II**

The purpose or purposes for which the corporation is organized are:

See attachment.

**ARTICLE III**

- The corporation is organized upon a Nonstock basis.  
(Stock or Nonstock)
- If organized on a stock basis, the total number of shares which the corporation has authority to issue is \_\_\_\_\_ . If the shares are, or are to be, divided into classes, the designation of each class, the number of shares in each class, and the relative rights, preferences and limitations of the shares of each class are as follows:

**ARTICLE III (cont.)**

3. a. If organized on a nonstock basis, the description and value of its real property assets are: (if none, insert "none")

None.

- b. The description and value of its personal property assets are: (if none, insert "none")

None.

- c. The corporation is to be financed under the following general plan:

The Corporation is to be funded by receiving grants and other contributions, investing such property and receiving the net income therefrom.

- d. The corporation is organized on a Directorship basis.  
(Membership or Directorship)

**ARTICLE IV**

1. The name of the resident agent at the registered office is:

Aundra C. Wallace

2. The address of its registered office in Michigan is:

65 Cadillac Square, Suite 3200

(Street Address)

Detroit

(City)

Michigan

48226

(ZIP Code)

2. The mailing address of the registered office in Michigan if different than above:

(Street Address or P.O. Box)

(City)

Michigan

(ZIP Code)

**ARTICLE V**

The name(s) and address(es) of the incorporator(s) is (are) as follows:

Name

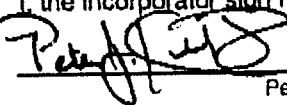
Residence or Business Address

Peter J. Kulick

215 S. Washington Square, Suite 200, Lansing, MI 48933

Use space below for additional Articles or for continuation of previous Articles. Please identify any Article being continued or added. Attach additional pages if needed.

See attached for Articles VI through XII.

I, the incorporator sign my name this 10th day of January, 2011  
  
\_\_\_\_\_  
Peter J. Kulick

01/10/2011 1:23PM

**ATTACHMENT TO ARTICLES OF INCORPORATION**  
**OF**  
**DLBA COMMUNITY DEVELOPMENT CORPORATION**

**ARTICLE II**

The purposes for which the DLBA Community Development Corporation (the "Corporation") is organized are to receive and administer funds exclusively for charitable, educational and scientific purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). In particular, the Corporation is organized to serve the people of the City of Detroit, Michigan through the advancement of economic welfare, by making available technical assistance, training, and capital for the establishment of new enterprises and the growth of existing enterprises, through the promotion of community development, and through the provision of affordable housing for persons of low and moderate income (including making distributions to other Code Section 501(c)(3) organizations).

**ARTICLE VI**

In order to accomplish the purposes of the Corporation as set forth in Article II, and for no other purpose or purposes, the Corporation shall also have the power to:

- a. sue and be sued;
- b. make contracts;
- c. receive property by devise or bequest, subject to the laws regulating the transfer of property by will, and otherwise acquire and hold all property, real or personal, including shares of stock, bonds and securities of other corporations;
- d. act as trustee under any trust whose objects are related to the principal objects of the Corporation, and to receive, hold, administer and expend funds and property subject to such trust;
- e. convey, exchange, lease, mortgage, encumber, transfer upon trust or otherwise dispose of all property, real or personal;
- f. borrow money, contract debts and issue bonds, notes and debentures, and secure the payment of any performance of its obligations; and
- g. do all other acts necessary or expedient for the administration of the affairs and attainment of the purposes of the Corporation; *provided, however*, that this Corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purposes of this Corporation.

## **ARTICLE VII**

No director or officer of the Corporation shall possess any right or title to, or interest in, corporate property or earnings of the Corporation in his or her individual capacity or private capacity, and no part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, its directors, trustees officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Articles II and VI hereof. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these Articles of Incorporation, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Code, or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Code.

## **ARTICLE VIII**

No loan shall be made by the Corporation to an officer or director.

## **ARTICLE IX**

Upon the dissolution of the Corporation, and after paying or making provision for the payment of all the liabilities of the Corporation, the remaining assets of the Corporation shall be distributed exclusively for one or more exempt purposes within the meaning of Section 501(c)(3) of the Code (or any amendment thereof) or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so distributed shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as such court shall determine, which are organized and operated exclusively for such purposes.

## **ARTICLE X**

A volunteer director of the Corporation shall not be personally liable to the Corporation or its directors for monetary damages for breach of the director's fiduciary duty except for liability:

- a. For breach of a director's duty of loyalty to the Corporation or its directors;
- b. For acts or omissions not in good faith or that involve intentional misconduct or knowing violation of law;
- c. For violation of Section 551(1) of the Michigan Nonprofit Corporation Act;

***Michigan Department of Licensing and Regulatory Affairs***  
***Filing Endorsement***

***This is to Certify that the RESTATED ARTICLES OF INCORPORATION - NONPROFIT***  
***for***  
***DETROIT LAND BANK COMMUNITY DEVELOPMENT CORPORATION***

***ID NUMBER: 70883X***

***received by facsimile transmission on October 17, 2011 is hereby endorsed***  
***Filed on October 18, 2011 by the Administrator.***

***The document is effective on the date filed, unless a  
subsequent effective date within 90 days after  
received date is stated in the document.***



***In testimony whereof, I have hereunto set my  
hand and affixed the Seal of the Department,  
in the City of Lansing, this 18TH day  
of October, 2011.***

***Director***

***Bureau of Commercial Services***



BCS/CD-511 (Rev. 04/11)

| MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS<br>BUREAU OF COMMERCIAL SERVICES |  |                   |
|--|--|-------------------|
| Date Received  | (FOR BUREAU USE ONLY)  |                   |
|  | This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document. |                   |
| Name<br>Peter J. Kulick, Dickinson Wright PLLC   |  |                   |
| Address<br>215 S. Washington Square, Suite 200   |  |                   |
| City<br>Lansing  | State<br>Michigan  | ZIP Code<br>48933 |
|  |  | EFFECTIVE DATE:   |

Document will be returned to the name and address you enter above.  
If left blank, document will be returned to the registered office.

**RESTATED ARTICLES OF INCORPORATION**  
**For use by Domestic Nonprofit Corporations**  
(Please read information and instructions on the last page)

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Restated Articles:

|   |   |
|---|---|
| 1. The present name of the corporation is:                        | <u>DLBA Community Development Corporation</u> |
| 2. The identification number assigned by the Bureau is:           | <u>70883X</u>                                 |
| 3. All former names of the corporation are:                       |   |
| 4. The date of filing the original Articles of Incorporation was: | <u>January 11, 2011</u>                       |

*The following Restated Articles of Incorporation supersede the Articles of Incorporation as amended and shall be the Articles of Incorporation for the corporation:*

**ARTICLE I**

|   |
|---|
| The name of the corporation is:                     |
| Detroit Land Bank Community Development Corporation |

**ARTICLE II**

|   |
|---|
| The purpose or purposes for which the corporation is organized are: |
| See attachment  |

ARTICLE III

1. The corporation is organized on a Nonstock basis.  
(stock or nonstock)
2. If organized on a stock basis, the aggregate number of shares which the corporation has authority to issue is \_\_\_\_\_ If the shares are, or are to be divided into classes, the designation of each class, the number of shares in each class, and the relative rights, preferences, and limitations of the shares of each class are as follows:
3. If organized on a nonstock basis, the description and value of its real property assets are: (if none, insert "none")  
None.
- and the description and value of its personal property assets are: (if none, insert "none")  
None.
- (The valuation of the above assets was as of \_\_\_\_\_ )  
The corporation is to be financed under the following general plan:  
The Corporation is to be funded by receiving grants and other contributions, investing such property and receiving net income therefrom.
- The corporation is organized on a Directorship basis.  
(membership or directorship)

ARTICLE IV

1. The name of the resident agent is: Aundra C. Wallance
2. The address of the registered office is:  
65 Cadillac Square, Suite 3200 Detroit Michigan 48226  
(Street Address) (City) (ZIP Code)
3. The mailing address of the registered office, if different than above:  
\_\_\_\_\_, Michigan \_\_\_\_\_  
(Street Address or P.O. Box) (City) (ZIP Code)

**ARTICLE V (Additional provisions, if any, may be inserted here; attach additional pages if needed.)**

See attachment.

**5. COMPLETE SECTION (a) IF THE RESTATED ARTICLES DO NOT FURTHER AMEND THE ARTICLES OF INCORPORATION; OTHERWISE, COMPLETED SECTION (b).**

- a. ☐ These Restated Articles of Incorporation were duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_, in accordance with the provisions of Section 642 of the Act by the Board of Directors without a vote of the members or shareholders. These Restated Articles of Incorporation only restate and **integrate** and **do not further amend** the provisions of the Articles of Incorporation as heretofore amended and there is no material discrepancy between those provisions and the provisions of these Restated Articles.

Signed this \_\_\_\_\_ day of \_\_\_\_\_,

By \_\_\_\_\_  
(Signature of Authorized Officer or Agent)

\_\_\_\_\_  
(Type or Print Name)

- b. ☒ These Restated Articles of Incorporation were duly adopted on the 30th day of September, 2011, in accordance with the provisions of Section 642 of the Act. These Restated Articles of Incorporation restate, integrate, and **do further amend** the provisions of the Articles of Incorporation, and:  
(Check one of the following)

- ☐ were duly adopted by the shareholders, the members, or the directors (if organized on a nonstock directorship basis). The necessary number of votes were cast in favor of these Restated Articles of Incorporation.
- ☐ were duly adopted by the written consent of all the shareholders or members entitled to vote in accordance with Section 407(3) of the Act.
- ☒ were duly adopted by the written consent of all the directors pursuant to Section 525 of the Act as the corporation is organized on a directorship basis.
- ☐ were duly adopted by the written consent of the shareholders or members having not less than the minimum number of votes required by statute in accordance with Section 407(1) and (2) of the Act. Written notice to shareholders or members who have not consented in writing has been given. (Note: Written consent by less than all of the shareholders or members is permitted only if such provision appears in the Articles of Incorporation).

Signed this 30th day of September, 2011

By  \_\_\_\_\_  
(Signature of President, Vice-President, Chairperson, or Vice-Chairperson)

Glen Wash  
(Type or Print Name)

President  
(Type or Print Title)

**ATTACHMENT TO ARTICLES OF INCORPORATION**  
**OF**  
**DETROIT LAND BANK COMMUNITY DEVELOPMENT CORPORATION**

**ARTICLE II**

The purposes for which the Detroit Land Bank Community Development Corporation (the "Corporation") is organized are to receive and administer funds exclusively for charitable, educational and scientific purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). In particular, the Corporation is organized to serve the people of the City of Detroit, Michigan through the advancement of economic welfare, by making available technical assistance, training, and capital for the establishment of new enterprises and the growth of existing enterprises, through the promotion of community development, and through the provision of affordable housing for persons of low and moderate income (including making distributions to other Code Section 501(c)(3) organizations).

**ARTICLE VI**

In order to accomplish the purposes of the Corporation as set forth in Article II, and for no other purpose or purposes, the Corporation shall also have the power to:

- a. sue and be sued;
- b. make contracts;
- c. receive property by devise or bequest, subject to the laws regulating the transfer of property by will, and otherwise acquire and hold all property, real or personal, including shares of stock, bonds and securities of other corporations;
- d. act as trustee under any trust whose objects are related to the principal objects of the Corporation, and to receive, hold, administer and expend funds and property subject to such trust;
- e. convey, exchange, lease, mortgage, encumber, transfer upon trust or otherwise dispose of all property, real or personal;
- f. borrow money, contract debts and issue bonds, notes and debentures, and secure the payment of any performance of its obligations; and
- g. do all other acts necessary or expedient for the administration of the affairs and attainment of the purposes of the Corporation; *provided, however*, that this Corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purposes of this Corporation.

#### **ARTICLE VII**

No director or officer of the Corporation shall possess any right or title to, or interest in, corporate property or earnings of the Corporation in his or her individual capacity or private capacity, and no part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, its directors, trustees officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Articles II and VI hereof. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these Articles of Incorporation, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Code, or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Code.

#### **ARTICLE VIII**

No loan shall be made by the Corporation to an officer or director.

#### **ARTICLE IX**

Upon the dissolution of the Corporation, and after paying or making provision for the payment of all the liabilities of the Corporation, the remaining assets of the Corporation shall be distributed exclusively for one or more exempt purposes within the meaning of Section 501(c)(3) of the Code (or any amendment thereof) or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so distributed shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as such court shall determine, which are organized and operated exclusively for such purposes.

#### **ARTICLE X**

A volunteer director of the Corporation shall not be personally liable to the Corporation or its directors for monetary damages for breach of the director's fiduciary duty except for liability:

- a. For breach of a director's duty of loyalty to the Corporation or its directors;
- b. For acts or omissions not in good faith or that involve intentional misconduct or knowing violation of law;
- c. For violation of Section 551(1) of the Michigan Nonprofit Corporation Act;

- d. For a transaction from which the director derives an improper personal benefit;
- e. For an act or omission that is grossly negligent; or
- f. For an act or omission occurring before the date this document is effective.

If, after approval by the directorship of this provision, the Michigan Nonprofit Corporation Act is amended to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of a director of the Corporation shall be eliminated or limited to the fullest extent permitted by the Michigan Nonprofit Corporation Act, as so amended.

Any repeal or modification of the foregoing provisions of this Article X by the directorship of the Corporation shall not adversely affect any right or protection of the director or the board of directors existing at the time of such repeal or modification.

#### **ARTICLE XI**

The Corporation assumes all liability to any person other than the Corporation or its directors for all acts or omissions of any volunteer director incurred in the good faith performance of the volunteer director's duties.

#### **ARTICLE XII**

Any reference in these Articles of Incorporation to a section of Code shall be interpreted to include reference to corresponding provisions of any applicable future Internal Revenue law.

**TAB**

**B**

Skip to Main Content Logout My Account Search Menu New Case Search Refine  
Search Back

Location : Non-Criminal Cases Images Web Access Instruction  
Manual

**REGISTER OF ACTIONS****CASE No. 14-012119-CH****PARTY INFORMATION****Lead Attorneys**

Defendant 12716 Broadstreet, Detroit, Michigan 48238

Defendant 17199 Santa Barbara, Detroit, Michigan  
48221

Defendant 17340 Santa Rosa, Detroit, Michigan 48221

Defendant 1757 Warren, Detroit, Michigan 48208

Defendant 17600 Cherrylawn, Detroit, Michigan 48238

Defendant 3735 Leslie, Detroit, Michigan 48238

Defendant 3774 Sturtevant, Detroit, Michigan 48204

Defendant 3825 Waverly, Detroit, Michigan 48238

Defendant 3831 Tyler, Detroit, Michigan 48238

Defendant 4225 Tyler, Detroit, Michigan 48238

David W. Charron  
Retained  
(616) 363-0300(W)

Defendant 4239 Tyler, Detroit, Michigan 48238

Defendant 4324 Leslie, Detroit, Michigan 48238

Defendant 4343 Leslie, Detroit, Michigan 48238

Defendant 4365 Tyler, Detroit, Michigan 48238

Defendant 4370 Glendale, Detroit, Michigan 48238

Defendant 4758 Sturtevant, Detroit, Michigan 48204

Defendant 4870 Sturtevant, Detroit, Michigan 48204

Defendant 5291 Bishop, Detroit, Michigan 48224

Plaintiff Detroit Land Bank Authority

Kevin G. Simowski  
Retained  
(248) 547-1032(W)

Plaintiff Duggan, Mike

Kevin G. Simowski  
Retained  
(248) 547-1032(W)

**EVENTS & ORDERS OF THE COURT****OTHER EVENTS AND HEARINGS**



09/22/2014 **Complaint, Filed**  
 09/22/2014 **Service Review Scheduled**  
 09/22/2014 **Status Conference Scheduled**  
 09/22/2014 **Case Filing Fee - Paid**  
 10/21/2014 **Order for Special Service, Signed and Filed**  
 10/22/2014 **Order for Miscellaneous Action, Signed and Filed**  
 11/05/2014 **Service of Complaint, filed**  
 11/12/2014 **Service of Complaint, filed**  
 11/13/2014 **Party Final - Voluntary Dismissal, Signed and Filed**  
 11/24/2014 **Party Final - Voluntary Dismissal, Signed and Filed**  
 11/26/2014 **Proof of Service, Filed**  
 12/03/2014 **Proof of Service, Filed**  
 12/04/2014 **Party Final - Voluntary Dismissal, Signed and Filed**  
 12/09/2014 **Proof of Service, Filed**  
 12/10/2014 **Answer to Complaint, Filed**  
 12/11/2014 **Service of Complaint, filed**  
 12/11/2014 **Service of Complaint, filed**  
 12/11/2014 **Service of Complaint, filed**  
 12/11/2014 **Service of Complaint, filed**  
 12/11/2014 **Service of Complaint, filed**  
 12/11/2014 **Default, Request, Affidavit and Entry Filed**  
 12/11/2014 **Motion for Default Judgment, Filed**  
 12/11/2014 **Motion for Directed Verdict, Filed-WVD**  
 12/11/2014 **Motion for Default Judgment, Filed-WVD**  
 12/11/2014 **Motion for Default Judgment, Filed-WVD**  
 12/11/2014 **Motion for Default Judgment, Filed-WVD**  
 12/11/2014 **Motion for Default Judgment, Filed-WVD**  
 12/11/2014 **Motion for Default Judgment, Filed-WVD**  
 12/18/2014 **Præcipe, Filed** (Judicial Officer: Colombo, Robert J., Jr.)  
 12/18/2014 **Præcipe, Filed** (Judicial Officer: Colombo, Robert J., Jr.)  
 12/18/2014 **Præcipe, Filed** (Judicial Officer: Colombo, Robert J., Jr.)  
 12/18/2014 **Præcipe, Filed** (Judicial Officer: Colombo, Robert J., Jr.)  
 12/18/2014 **Præcipe, Filed** (Judicial Officer: Colombo, Robert J., Jr.)  
 12/18/2014 **Præcipe, Filed** (Judicial Officer: Colombo, Robert J., Jr.)  
 12/18/2014 **Præcipe, Filed** (Judicial Officer: Colombo, Robert J., Jr.)  
 12/19/2014 **Motion Hearing** (9:00 AM) (Judicial Officer Colombo, Robert J., Jr.)  
 Result: Held  
 12/19/2014 **Motion Hearing** (9:00 AM) (Judicial Officer Colombo, Robert J., Jr.)  
 12/19/2014 **Motion Hearing** (9:00 AM) (Judicial Officer Colombo, Robert J., Jr.)  
 12/19/2014 **Motion Hearing** (9:00 AM) (Judicial Officer Colombo, Robert J., Jr.)  
 12/19/2014 **Motion Hearing** (9:00 AM) (Judicial Officer Colombo, Robert J., Jr.)  
 12/19/2014 **Motion Hearing** (9:00 AM) (Judicial Officer Colombo, Robert J., Jr.)  
 12/19/2014 **Motion for Miscellaneous Action Granted, Order to Follow** (Judicial Officer: Colombo, Robert J., Jr.)  
 12/22/2014 **Party Final - Default Judgment Granted, Signed and Filed**  
 12/22/2014 **Party Final - Default Judgment Granted, Signed and Filed**  
 12/22/2014 **Party Final - Default Judgment Granted, Signed and Filed**  
 12/22/2014 **Party Final - Default Judgment Granted, Signed and Filed**  
 12/22/2014 **Party Final - Default Judgment Granted, Signed and Filed**  
 12/22/2014 **Party Final - Default Judgment Granted, Signed and Filed**  
 12/23/2014 **Default, Request, Affidavit and Entry Filed**  
 12/23/2014 **Motion for Default Judgment, Filed**  
 12/23/2014 **Motion for Default Judgment, Filed-WVD**  
 12/26/2014 **Præcipe, Filed** (Judicial Officer: Colombo, Robert J., Jr.)  
 12/26/2014 **Præcipe, Filed** (Judicial Officer: Colombo, Robert J., Jr.)  
 01/09/2015 **Motion Hearing** (9:00 AM) (Judicial Officer Colombo, Robert J., Jr.)  
 01/09/2015 **Motion Hearing** (9:00 AM) (Judicial Officer Colombo, Robert J., Jr.)  
 01/09/2015 **Proof of Service, Filed**  
 01/09/2015 **Proof of Service, Filed**  
 01/12/2015 **Party Final - Default Judgment Granted, Signed and Filed**  
 01/12/2015 **Party Final - Default Judgment Granted, Signed and Filed**  
 01/12/2015 **Proof of Service, Filed**  
 01/12/2015 **Proof of Service, Filed**  
 01/12/2015 **Proof of Service, Filed**  
 01/12/2015 **Proof of Service, Filed**  
 01/15/2015 **Proof of Service, Filed**  
 01/15/2015 **Proof of Service, Filed**  
 01/22/2015 **Ord to Set Aside, Signed and Filed (does not change status)**  
 01/28/2015 **Proof of Service, Filed**  
 01/29/2015 **Proof of Service, Filed**  
 01/29/2015 **Proof of Service, Filed**  
 01/29/2015 **Proof of Service, Filed**  
 02/11/2015 **Default, Request, Affidavit and Entry Filed**  
 02/11/2015 **Motion for Default Judgment, Filed**  
 02/13/2015 **Præcipe, Filed** (Judicial Officer: Colombo, Robert J., Jr.)  
 02/19/2015 **Default, Request, Affidavit and Entry Filed**  
 02/19/2015 **Motion for Default Judgment, Filed**  
 02/20/2015 **Motion Hearing** (8:30 AM) (Judicial Officer Colombo, Robert J., Jr.)  
 02/20/2015 **Præcipe, Filed** (Judicial Officer: Colombo, Robert J., Jr.)  
 02/20/2015 **Party Final - Default Judgment Granted, Signed and Filed**  
 02/25/2015 **Proof of Service, Filed**  
 02/27/2015 **Motion Hearing** (8:30 AM) (Judicial Officer Colombo, Robert J., Jr.)  
 04/13/2015 **Service of Complaint, filed**  
 04/13/2015 **Service of Complaint, filed**

04/13/2015 Service of Complaint, filed  
 05/14/2015 Appearance of Attorney, Filed  
 05/29/2015 Party Final - Voluntary Dismissal, Signed and Filed (Judicial Officer: Colombo, Robert J., Jr. )  
 05/29/2015 Proof of Service, Filed  
 07/14/2015 Pre-Trial Statement, Filed  
 07/16/2015 Proof of Service, Filed  
 08/05/2015 Party Final - Order Dismissing Party, Signed and Filed (Judicial Officer: Colombo, Robert J., Jr. )  
 08/10/2015 Party Final - Voluntary Dismissal, Signed and Filed (Judicial Officer: Colombo, Robert J., Jr. )  
 08/20/2015 Proof of Service, Filed  
 08/27/2015 Party Final - Voluntary Dismissal, Signed and Filed (Judicial Officer: Colombo, Robert J., Jr. )  
 08/28/2015 Proof of Service, Filed  
 10/23/2015 Order to Set Aside, Signed and Filed (does not change status)  
 10/27/2015 Proof of Service, Filed  
 11/23/2015 Party Final - Voluntary Dismissal, Signed and Filed

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**FINANCIAL INFORMATION**


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|  |   |                             |         |
|--|---|-----------------------------|---------|
| <b>Plaintiff Detroit Land Bank Authority</b> |   |                             |         |
|  | Total Financial Assessment                      |                             | 80.00   |
|  | Total Payments and Credits                      |                             | 80.00   |
|  | Balance Due as of 01/08/2016                    |                             | 0.00    |
| 12/11/2014                                   | Transaction Assessment                          |                             | 20.00   |
| 12/11/2014                                   | Civil File & Serve Payment Receipt # 2014-34213 | Detroit Land Bank Authority | (20.00) |
| 12/23/2014                                   | Transaction Assessment                          |                             | 20.00   |
| 12/23/2014                                   | Civil File & Serve Payment Receipt # 2014-37617 | Detroit Land Bank Authority | (20.00) |
| 02/11/2015                                   | Transaction Assessment                          |                             | 20.00   |
| 02/11/2015                                   | Civil File & Serve Payment Receipt # 2015-12196 | Detroit Land Bank Authority | (20.00) |
| 02/19/2015                                   | Transaction Assessment                          |                             | 20.00   |
| 02/19/2015                                   | Civil File & Serve Payment Receipt # 2015-14393 | Detroit Land Bank Authority | (20.00) |

2015 MAR -4 PM 4:10

Bernard J. Youngblood  
Wayne County Register of Deeds  
2015067960 L: 52048 P: 1218  
03/04/2015 04:10 PM ORD Total Pages: 6



STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

MIKE DUGGAN, Mayor, City of Detroit,  
And the DETROIT LAND BANK AUTHORITY,  
a public body corporate,

Plaintiffs,

FILED IN MY OFFICE  
WAYNE COUNTY CLERK  
1/12/2015 9:02:43 AM  
CATHY M. GARRETT

14-012119-CH

vs

Hon. Robert J. Colombo, Jr.  
Case No. 14-012119-CH

Matthew Johnson

5291 Bishop, Detroit, Michigan 48224,  
12716 Broadstreet, Detroit, Michigan 48238,  
4370 Glendale, Detroit, Michigan 48238,  
3735 Leslie, Detroit, Michigan 48238,  
4324 Leslie, Detroit, Michigan 48238,  
4343 Leslie, Detroit, Michigan 48238,  
3774 Sturtevant, Detroit, Michigan 48204,  
4758 Sturtevant, Detroit, Michigan 48204,  
4870 Sturtevant, Detroit, Michigan 48204,  
3831 Tyler, Detroit, Michigan 48238,  
4225 Tyler, Detroit, Michigan 48238,  
~~4239 Tyler, Detroit, Michigan 48238,~~  
4365 Tyler, Detroit, Michigan 48238,  
3825 Waverly, Detroit, Michigan 48238,  
17600 Cherrylawn, Detroit, Michigan 48238,  
17199 Santa Barbara, Detroit, Michigan 48221,  
17340 Santa Rosa, Detroit, Michigan 48221,  
1757 Warren, Detroit, Michigan 48208,

Defendants.

**ORDER OF DEFAULT JUDGMENT**  
**AS TO DEFENDANT 4239 TYLER ONLY**

Deeds and the Wayne County Treasurer tax records, to identify ownership interests; 2) electronic investigative searches to identify the last known address of the Owner(s) and Interest Holder(s) of the Defendant Property; 3) service of process by First Class Mail and by Certified Mail, return receipt requested; and 4) posting of the pleadings on the Defendant Property and in three public buildings.

IT IS HEREBY ORDERED that the Defendant Property located at **4239 TYLER**, City of Detroit, County of Wayne, State of Michigan is declared a nuisance.

IT IS FURTHER ORDERED that, as the Owner(s) and Interest Holder(s) of the Defendant Property have failed to abate the nuisance as requested in Plaintiffs' Complaint, Plaintiffs are hereby granted the authority and right to enter the subject property and remove and/or abate the declared nuisance.

IT IS FURTHER ORDERED that the property interests held by **NAOAKI IWASA** in the Property located at **4239 TYLER**, Detroit, Michigan, and more specifically known as:

**Lot 106, Russell Woods Subdivision,  
as recorded in Liber 34, Page 3, of Plats, Wayne County Records.**

**Parcel ID Number: 14005265**

**Commonly known as: 4239 Tyler, Detroit, Michigan**

is awarded to Plaintiff Detroit Land Bank Authority as compensation and in order to equitably defray the costs of abatement of the nuisance, actual attorney fees and court costs.

IT IS FURTHER ORDERED that Plaintiff Detroit Land Bank Authority may effectuate this transfer of title by recording a true copy of this Judgment against the owners and interest holders with the Wayne County Register of Deeds.

IT IS FURTHER ORDERED that the Owner(s) and Interest Holder(s) of the Defendant Property are responsible for any and all property taxes, water bills, mortgage or other liens, or

2015067960 Page 5 of 6

No. A 79506

E-314 BK

# 14-012119-CH

STATE OF MICHIGAN, } ss.  
County of Wayne

CERTIFIED COPY — "LAW"

I, CATHY M. GARRETT, Clerk of Wayne County, and Clerk of the Circuit Court for the County of Wayne, do hereby certify that the above and the foregoing is a true and correct copy of

Order Of Default Judgement As To  
Defendant 4239 Tyler OH 14

entered in the above entitled cause by said Court, as appears of record in my office. That I have compared the same with the original, and it is a true transcript therefrom, and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court and County, at Detroit, this day of MAR 04 2015 A.D. 20

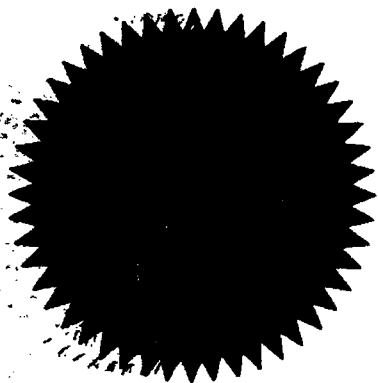
CATHY M. GARRETT, Clerk

Fee, \$

15

Sandee D. White

, Deputy Clerk



CSCL/CD-520 (Rev. 07/14)

# **MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU**

Date Received

OCT 09 2014

(FOR BUREAU USE ONLY)

This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

Tran Info:1 19888338-1 10/08/14

Chk#: 4686 Amt: \$5.00

ID: 05533R

**FILED**

OCT 09 2014

EFFECTIVE DATE:

Name

Naaoaki Iwasa

Address

56388 Solina Court

City

State

ZIP Code

Macomb

Michigan

48042

Document will be returned to the name and address you enter above.  
If left blank, document will be returned to the registered office.

ADMINISTRATOR  
CORPORATIONS DIVISION

## **CERTIFICATE OF CHANGE OF REGISTERED OFFICE AND/OR CHANGE OF RESIDENT AGENT** For use by Domestic and Foreign Corporations and Limited Liability Companies (Please read information and instructions on the last page)

Pursuant to the provisions of Act 284, Public Acts of 1972 (profit corporations), or Act 162, Public Acts of 1982 (nonprofit corporations), or Act 23, Public Acts 1993 (limited liability companies), the undersigned execute the following Certificate:

1. The name of the corporation or limited liability company is:

Reinus Investment Group, LLC

2. The identification number assigned by the Bureau is:

D5533R

3. a. The name of the resident agent on file with the Bureau is: Elaine Carlis

- b. The location of the registered office on file with the Bureau is:

7 West Square Lake Road Bloomfield Hills, Michigan 48302  
(Street Address) (City) (ZIP Code)

- c. The mailing address of the above registered office on file with the Bureau is:

7 West Square Lake Road Bloomfield Hills, Michigan 48302  
(Street Address or P.O. Box) (City) (ZIP Code)

ENTER IN ITEM 4 THE INFORMATION AS IT SHOULD NOW APPEAR ON THE PUBLIC RECORD

4. a. The name of the resident agent is: Elite Landlord Services, LLC

- b. The address of its registered office is:

28475 Greenfield Road #117 Southfield, Michigan 48076  
(Street Address) (City) (ZIP Code)

- c. The mailing address of the registered office IF DIFFERENT THAN 4B is:

(Street Address or P.O. Box) (City) (ZIP Code)

5. The above changes were authorized by resolution duly adopted by: 1. ALL CORPORATIONS: its Board of Directors; 2. PROFIT CORPORATIONS ONLY: the resident agent if only the address of the registered office is changed, in which case a copy of this statement has been mailed to the corporation; 3. LIMITED LIABILITY COMPANIES: an operating agreement, affirmative vote of a majority of the members pursuant to section 502(1), managers pursuant to section 405, or the resident agent if only the address of the registered office is changed.

6. The corporation or limited liability company further states that the address of its registered office and the address of its resident agent as changed, are identical.

Signature

Naaoaki Iwasa

Type or Print Name and Title or Capacity

NAOAKI IWASA MANAGING MEMBER

Date Signed

OCT 5, 2014

2015102861 L: 52096 P: 971 COF  
03/25/2015 08:07:54 PM Total Pages: 1  
Bernard J. Youngblood, Register of Deeds - Wayne County, MI  
ELECTRONICALLY RECORDED

**WAYNE COUNTY TREASURER  
CERTIFICATE OF FORFEITURE OF REAL PROPERTY**

I hereby certify that on, March 1, 2015 the following real property was forfeited to the Wayne County Treasurer for NON PAYMENT OF REAL PROPERTY TAX YEAR 2013.

This property will be titled absolutely in the name of Wayne County Treasurer if not redeemed on or before the March 31 immediately succeeding the entry in an uncontested case of a judgment foreclosing the property under MCL 211.78k, or in a contested case, 21 days after the entry of a judgment foreclosing the property under MCL211.78k.

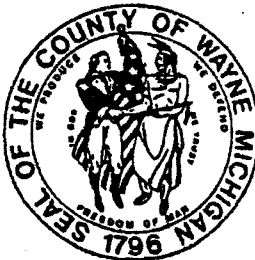
Taxpayer's Name and Address: NAOAKI IWASA  
56388 SOLINA CT  
MACOMB, MI 48042

Property located in the CITY OF DETROIT, WAYNE COUNTY, MI 48238  
Property ID No: 14005265.

Property Description:  
S TYLER LOT LOT 106 RUSSELL WOODS SUB L34 P3 PLATS, W C R 14/195 35 X 115

Commonly known as: 4239 TYLER ST, DETROIT

Dated this Day 03/23/2015



**Raymond J. Wojtowicz**

Wayne County Treasurer



Recording requested by:  
Corazon LLC

2015 FEB 24 PM 4:11

and when recorded, please return this deed  
and tax statements to:  
Corazon LLC  
2-6-11 Kandamachi Obase, Miyako-county  
Fukuoka-pref, Japan 800-0345

Bernard J. Youngblood  
Wayne County Register of Deeds

2015056625 L: 52031 P: 941  
02/24/2015 04:11 PM OCD Total Pages: 2



Above reserved for official use only

## QUITCLAIM DEED

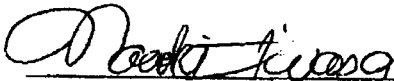
### KNOW ALL MEN BY THESE PRESENTS THAT:

FOR A VALUABLE CONSIDERATION, in the amount of Twenty Eight Thousand Dollars (\$28,000.00) in hand and no other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned, Reinus Investment Group, LLC ("Grantor"), a , whose street number and post office address is 56388 Solina Court Macomb, Michigan 48042 hereby REMISES, RELEASES, AND FOREVER QUITCLAIMS to Corazon LLC ("Grantee"), whose street number and post office address is 2-6-11 Kandamachi-Obase, Miyako-county Fukuoka-pref, Japan 800-0345 all right, title, interest and claim to the following real property in the City of Detroit, County of Wayne, State of Michigan with the following legal description: Lot 106, Russel Woods Subdivision, as recorded in Liber 34, Page 3, Wayne County Records

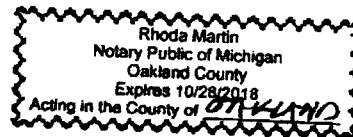
➡ and the following address: 4239-41 Tyler Detroit, Michigan 48238  
Tax Parcel ID Number: 14005265

TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the above described property unto the said Grantee, Grantee's heirs, administrators, executors, successors and/or assigns forever; so that neither Grantor nor Grantor's heirs, administrators, executors, successors and/or assigns shall have, claim or demand any right or title to the aforesaid property, premises or appurtenances or any part thereof.

EXECUTED this 23rd day of February, 20 15.



(Signature of Grantor) NAOAKI ISWASA MANANGING  
MEMBER - REINUS INVESTMENT GROUP, LLC



Grantee's Address:

2-6-11 Kandamachi-Obase, Miyako-county  
Fukuoka-pref, Japan 800-0345

Grantors Address:

56388 Solina Court

Macomb, Michigan 48042

MICHIGAN REAL ESTATE TRANSFER TAX  
Wayne County Tax Stamp #363166  
02/24/2015

Receipt# 15-47987 L: 52031 P: 941  
State Tax: \$210.00 County Tax: \$30.80





2015102861 L: 52096 P: 971 COF  
03/25/2015 08:07:54 PM Total Pages: 1  
Bernard J. Youngblood, Register of Deeds - Wayne County, MI  
ELECTRONICALLY RECORDED

**WAYNE COUNTY TREASURER  
CERTIFICATE OF FORFEITURE OF REAL PROPERTY**

I hereby certify that on March 1, 2015 the following real property was forfeited to the Wayne County Treasurer for NON PAYMENT OF REAL PROPERTY TAX YEAR 2013.

This property will be filed absolute title in the name of Wayne County Treasurer  
on or before the March 1 immediately succeeding the date of the  
judgment foreclosing the property under MCL 207.78k, or in a contested case, the date of  
the court judgment foreclosing the property under MCL 207.78k.

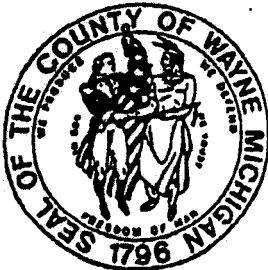
Taxpayer's Name and Address: NAOAKI IWASA  
56388 SOLINA CT  
MACOMB, MI 48042

Property located in the CITY OF DETROIT, WAYNE COUNTY, MI 48238  
Property ID No: 14005265.

Property Description:  
S TYLER LOT LOT 106 RUSSELL WOODS SUB L34 P3 PLATS, W C R 14/195 35 X 115

Commonly known as: 4239 TYLER ST, DETROIT

Dated this Day 03/23/2015



**Raymond J. Wojtowicz**

Wayne County Treasurer


2015291028 L: 52341 P: 597 NOT

07/01/2015 03:58:16 PM Total Pages: 1

Bernard J. Youngblood, Register of Deeds - Wayne County, MI  
ELECTRONICALLY RECORDED**Notice of Pending Expedited Quiet Title and Foreclosure Action**Michigan Department of Treasury  
4329 (9-05)

Required by section 9(1) of Land Bank Fast Track Act, 2003 PA 258, as amended, MCL 124.759.

The property identified below is subject to expedited quiet title proceedings and foreclosure under the Land Bank Fast Track Act, 2003 PA 258. Any legal interests in the property will be extinguished by the order of the Circuit Court of the County vesting absolute title to the property in the Detroit Land Bank Authority.

|  |   |
|--|---|
| Parcel No.:<br>14005265.   |   |
| Property Address (if available):<br>4239 TYLER   |   |
| County: Wayne Local Unit Name: Detroit Local Unit Code: 82250<br>Legal Description of the Property:<br><br>S TYLER LOT 106 RUSSELL WOODS SUB L34 P3 PLATS, W C R 14/195 35 X 115 |   |
| Date:<br>7/1/15  | Authorized Signature:<br>                       |
| Initiated By:<br><br>Detroit Land Bank Authority<br>65 Cadillac Sq. Ste. 2800<br>Detroit, MI 48226<br>(313) 502 - 5280   | Drafted by and when recorded, return to:<br><br>Ebony Jamison<br>65 Cadillac Sq. Ste. 2800<br>Detroit, MI 48226<br>(313) 502 - 5280 |

Subscribed and sworn before me on the 1 day of July, 2015

Signature Samantha Rae Russ  
 Printed Name: Samantha Rae Russ  
 Notary Public, State of Michigan, County of Wayne  
 My commission expires: August 30, 2021

SAMANTHA RAE RUSS  
 NOTARY PUBLIC, STATE OF MI  
 COUNTY OF WAYNE  
 MY COMMISSION EXPIRES Aug 30, 2021  
 ACTING IN COUNTY OF Wayne

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Search Back

Location : Non-Criminal Cases Images Web Access Instruction  
Manual

## REGISTER OF ACTIONS

### CASE No. 15-008639-CH

#### PARTY INFORMATION

|           |                                      | Lead Attorneys   |
|-----------|--------------------------------------|--|
| Defendant | 13405 Greiner St, Detroit, MI, 48205 |  |
| Defendant | 16165 Trinity St., Detroit, MI 48219 |  |
| Defendant | 16209 Patton St., Detroit, MI 48219  |  |
| Defendant | 3600 Wayburn St., Detroit, MI 48224  |  |
| Defendant | 4239 Tyler St., Detroit, MI 48238    |  |
| Defendant | 4308 Tyler St., Detroit, MI 48238    |  |
| Plaintiff | Detroit Land Bank Authority          | Michael Joseph Brady<br><i>Retained</i><br>(313) 502-5252(W) |
| Plaintiff | Duggan, Mike                         | Michael Joseph Brady<br><i>Retained</i><br>(313) 502-5252(W) |

#### EVENTS & ORDERS OF THE COURT

|            | OTHER EVENTS AND HEARINGS  |
|------------|--|
| 07/01/2015 | Complaint, Filed   |
| 07/01/2015 | Service Review Scheduled   |
| 07/01/2015 | Status Conference Scheduled  |
| 07/01/2015 | Case Filing Fee - Paid   |
| 07/02/2015 | Amended Complaint, Filed   |
| 07/02/2015 | Notice of Hearing, Filed   |
| 07/17/2015 | Miscellaneous Pleadings, Filed   |
| 07/17/2015 | Notice of Hearing, Filed   |
| 07/30/2015 | Service of Complaint, filed  |
| 07/30/2015 | Service of Complaint, filed  |
| 07/30/2015 | Service of Complaint, filed  |
| 08/21/2015 | Service of Complaint, filed  |
| 08/31/2015 | Party Final - Default Judgment Granted, Signed and Filed               |
| 09/30/2015 | Status Conference (8:00 AM) (Judicial Officer Colombo, Robert J., Jr.) |

#### FINANCIAL INFORMATION

|            |   |          |
|------------|---|----------|
|            | Plaintiff Detroit Land Bank Authority           |          |
|            | Total Financial Assessment                      | 150.00   |
|            | Total Payments and Credits                      | 150.00   |
|            | Balance Due as of 01/08/2016                    | 0.00     |
| 07/01/2015 | Transaction Assessment                          | 150.00   |
| 07/01/2015 | Civil File & Serve Payment Receipt # 2015-56930 | (150.00) |
|            | Detroit Land Bank Authority                     |          |

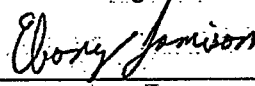
2015291028 L: 52341 P: 597 NOT

07/01/2015 03:58:16 PM Total Pages: 1

Bernard J. Youngblood, Register of Deeds - Wayne County, MI  
ELECTRONICALLY RECORDED**Notice of Pending Expedited Quiet Title and Foreclosure Action**Michigan Department of Treasury  
4329 (9-05)

Required by section 9(1) of Land Bank Fast Track Act, 2003 PA 258, as amended, MCL 124.759.

The property identified below is subject to expedited quiet title proceedings and foreclosure under the Land Bank Fast Track Act, 2003 PA 258. Any legal interests in the property will be extinguished by the order of the Circuit Court of the County vesting absolute title to the property in the Detroit Land Bank Authority.

|  |   |
|--|---|
| Parcel No.:<br>14005265.   |   |
| Property Address (if available):<br>4239 TYLER   |   |
| County: Wayne Local Unit Name: Detroit Local Unit Code: 82250<br>Legal Description of the Property:<br><br>S TYLER LOT 106 RUSSELL WOODS SUB L34 P3 PLATS, W C R 14/195 35 X 115 |   |
| Date:<br>7/1/15  | Authorized Signature:<br>                       |
| Initiated By:<br><br>Detroit Land Bank Authority<br>65 Cadillac Sq. Ste. 2800<br>Detroit, MI 48226<br>(313) 502 - 5280   | Drafted by and when recorded, return to:<br><br>Ebony Jamison<br>65 Cadillac Sq. Ste. 2800<br>Detroit, MI 48226<br>(313) 502 - 5280 |

Subscribed and sworn before me on the 1 day of July, 2015

Signature Samantha Rae Russ  
 Printed Name: Samantha Rae Russ  
 Notary Public, State of Michigan, County of Wayne  
 My commission expires: August 30, 2021

SAMANTHA RAE RUSS  
 NOTARY PUBLIC, STATE OF MI  
 COUNTY OF WAYNE  
 MY COMMISSION EXPIRES Aug 30, 2021  
 ACTING IN COUNTY OF WAYNE

**STATE OF MICHIGAN**

**IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE**

MIKE DUGGAN, Mayor, City of Detroit,  
And the DETROIT LAND BANK AUTHORITY,  
a public body corporate,

Plaintiffs,

vs

Hon. Robert J. Colombo, Jr.

Case No. 15-008639-CH

15-008639-CH

13405 Greiner St, Detroit, MI, 48205,  
16209 Patton St., Detroit, MI 48219,  
16165 Trinity St., Detroit, MI 48219,  
4239 Tyler St., Detroit, MI 48238,  
4308 Tyler St., Detroit, MI 48238,  
3600 Wayburn St., Detroit, MI 48224,

FILED IN MY OFFICE  
WAYNE COUNTY CLERK  
7/2/2015 9:43:01 AM  
CATHY M. GARRETT

Defendants.

---

**FIRST AMENDED PETITION FOR EXPEDITED QUIET TITLE and**  
**FORECLOSURE ACTION**

---

**MICHAEL J. BRADY, JR. (P72314)**

General Counsel, Detroit Land Bank Authority

**EBONY JAMISON (P75856)**

Staff Attorney, Detroit Land Bank Authority

Attorneys for Plaintiffs

65 Cadillac Square, Suite 2800

Detroit, Michigan 48226

(313) 502-5280

---

**FIRST AMENDED PETITION FOR EXPEDITED QUIET TITLE and**  
**FORECLOSURE ACTION**

There is no other civil action between these parties arising out of the same transaction or occurrence alleged in this complaint pending in this court, nor has any such action previously been filed and dismissed or transferred after having been assigned to a judge.

PLAINTIFF, **DETROIT LAND BANK AUTHORITY**, a public body corporate, by and through their attorneys, **MICHAEL J. BRADY, JR.**, General Counsel, Detroit Land Bank Authority, and **EBONY JAMISON**, Staff Attorney, Detroit Land Bank Authority, seek entry of an Order of Quiet Title pursuant to MCL 124.759, and for their Complaint to Quiet Title state as follows:

1. Plaintiff **DETROIT LAND BANK AUTHORITY** is a public body corporate existing pursuant to the Land Bank Fast Track Act, Act 258 of 2003, MCL 124.751 et seq., located in the City of Detroit, County of Wayne, Michigan.
2. Plaintiff, authorized to seek expedited quiet title relief under Section 9 of the Land Bank Fast Track Act, MCL 124.759, seeks quiet title relief against Defendants, and any and all owners and

interest holders of record, and any unknown or unnamed claimants, owners, spouses, heirs, devisees, assignees, or successor in interest to the Defendant Properties.

3. Defendants are parcels of real property, including vacant buildings, premises or structures, located in the City of Detroit, County of Wayne, State of Michigan, with common addresses as more specifically described in Exhibit A. (See **Exhibit A, List of Defendant Properties and Legal Description of each Defendant Property**).
4. Jurisdiction of this Court is based upon Article 6, Section 13 of the Michigan Constitution and MCL 600.601, 600.751, 124.759. Venue is appropriate under MCL 600.1621.
5. Plaintiff filed Complaint against Defendant Properties for constituting a nuisance and a danger to the health, safety, peace and welfare of the residents of the City of Detroit.
6. This Honorable Court entered Orders of Default Judgment for each of the Defendant Properties for failure to respond to Plaintiffs' Complaint or otherwise abate the nuisance posed by Defendant Properties. As part of the Court's Order, each of the Defendant Properties have been declared a nuisance.
7. Upon information and belief, the previous interest holders have chosen to abandon Defendant Properties. To date, no Answer or other responsive pleading has been filed to contest the Judgment of Default against Defendant Properties.
8. Following entry of Orders of Default Judgment against each of the Defendant Properties, Plaintiff was granted title to defray the costs of abating the nuisance, attorney fees and court costs incurred.
9. Pursuant to MCL 124.759, all legal interests and liens against real property held by a land bank authority, including any liens for unpaid taxes or special assessments, may be extinguished by a circuit court order vesting absolute title to the property in the authority.
10. Plaintiff DETROIT LAND BANK AUTHORITY, is a public authority, created to foster economic development and revitalization in this State. MCL 124.752.

Accordingly, this action for quiet title is necessary to establish clear and marketable title to Defendant Properties, foster their development and return such land to productive use.

12. WHEREFORE, Plaintiff prays this Honorable Court set a hearing date no later than August 21, 2015, and grant an Order of Quiet Title against Defendant Properties and all previous interest holders and in favor of Plaintiff. We request that this Honorable Court enter a judgment that:

- A. Fee simple title to the Defendant Properties in Exhibit A is vested absolutely in the DETROIT LAND BANK AUTHORITY without any further rights of redemption.
- B. All existing recorded and unrecorded interests in Defendant Property are extinguished upon effective date of judgment.
- C. All liens against the property, including any lien for unpaid taxes or special assessments are extinguished upon the effective date of the judgment.
- D. Title vesting in the DETROIT LAND BANK AUTHORITY is not subject to any recorded or unrecorded lien or interest.
- E. All persons entitled to notice and an opportunity to be heard have been provided that notice and opportunity.
- F. Plaintiff be awarded such other relief as the Court deems just and equitable.

Respectfully submitted,

DETROIT LAND BANK AUTHORITY  
MICHAEL J. BRADY, JR. (P72314)  
General Counsel, Detroit Land Bank Authority

Dated: July 2, 2015

/s/ Ebony Jamison  
EBONY JAMISON (P75856)  
Staff Attorney, Detroit Land Bank Authority  
Attorneys for Plaintiffs  
65 Cadillac Square, Suite 2800  
Detroit, Michigan 48226  
(313) 502-5280



2015 OCT 19 PM 1:19

Bernard J. Youngblood  
Wayne County Register of Deeds  
2015395301 L: 52521 P: 593  
10/19/2015 01:20 PM ORD Total Pages: 6

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

MIKE DUGGAN, Mayor, City of Detroit,  
And the DETROIT LAND BANK AUTHORITY,  
a public body corporate,

Plaintiffs,

vs

13405 Greiner St, Detroit, MI, 48205,  
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4239 Tyler St., Detroit, MI 48238,  
4308 Tyler St., Detroit, MI 48238,  
3600 Wayburn St., Detroit, MI 48224,

Defendants.

Hon. Robert J. Colombo, Jr. 15-008639-CH  
Case No. 15-008639-CH FILED IN MY OFFICE  
WAYNE COUNTY CLERK  
8/31/2015 2:27:06 PM  
CATHY M. GARRETT

Matthew Johnson

JUDGMENT OF EXPEDITED QUIET TITLE AND FORECLOSURE

---

**MICHAEL J. BRADY, JR. (P72314)**

General Counsel, Detroit Land Bank Authority

**EBONY JAMISON (P75856)**

Staff Attorney, Detroit Land Bank Authority

Attorneys for Plaintiffs

500 Griswold Street, Suite 1200

Detroit, Michigan 48226

(313) 502-5280

---

**JUDGMENT OF EXPEDITED QUIET TITLE AND FORECLOSURE**

At a session of said court held in City of Detroit,  
County of Wayne, State of Michigan  
on 8/31/2015

PRESENT: HON. ROBERT J. COLOMBO, JR.  
Wayne County Circuit Court

THIS MATTER, having come before the Court on application of Plaintiffs for entry of a Judgment of Expedited Quiet Title and Foreclosure with respect to real property situated in the City of Detroit, County of Wayne, State of Michigan, and more specifically described in the Appendix herein ("Defendant Properties"). The Defendant Properties are commonly known as

- 13405 Greiner St, Detroit, MI, 48205,
- 16209 Patton St., Detroit, MI 48219,
- 16165 Trinity St., Detroit, MI 48219,
- • 4239 Tyler St., Detroit, MI 48238,
- 4308 Tyler St., Detroit, MI 48238,
- 3600 Wayburn St., Detroit, MI 48224,